

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAVID DIAZ, Plaintiff, v. PEOPLEREADY, INC., and J.B. HUNT TRANSPORT, INC., Defendants.	Case No. 1:24-cv-01168 Honorable Andrea R. Wood
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JOINT INITIAL STATUS REPORT

Plaintiff, David Diaz, Defendant, J.B. Hunt Transport, Inc., and Defendant, PeopleReady, Inc., by and through their undersigned counsel, submit the following Joint Initial Status Report.

1. **Service of Process:** Service of process has been completed.
2. **The Nature of the Case:**
 - a. **Identity of the attorneys:**

Mohammed O. Badwan is Plaintiff's counsel in this matter who will also serve as lead counsel for Plaintiff. Mr. Badwan is a member of the Illinois Bar.

Sara Pettinger is Defendant J.B. Hunt Transport, Inc.'s counsel in this matter who will also serve as lead counsel for the Defendant. Ms. Pettinger is a member of the Illinois Bar.

Paul Daugherty is Defendant PeopleReady Inc.'s counsel in this matter. Mr. Daugherty is a member of the Illinois Bar and the Northern District of Illinois Trial Bar.

- b. **The basis for jurisdiction is federal question.**

This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §

2000e-5(f)(1) and (3) (“Title VII”). This Court has federal question jurisdiction pursuant to 28 U.S.C. §1331 as the Civil Rights Act of 1964 is a federal statute.

c. Nature of the Claims.

Plaintiff’s statement of the claims: Plaintiff brings this action seeking redress under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e-5 et seq. (“Title VII”) for sexual harassment, sex-based discrimination, hostile work environment, and unlawful retaliation for engaging in protected activity. Specifically, Plaintiff contends that he was subjected to sexual harassment by his supervisor and that Defendants, despite having knowledge of the sexual harassment, failed to take any remedial action or otherwise protect Plaintiff from further sexual harassment.

Defendant J.B. Hunt Transport, Inc.’s statement of the claims: Defendant denies all material allegations in the Complaint and further states that Plaintiff made no complaints of harassment, hostile work environment, retaliation, or other wrongful conduct.

Defendant, PeopleReady, Inc.’s statement of the claims: PeopleReady denies all material allegations in the Complaint and further states that Plaintiff made no complaints of harassment, hostile work environment, retaliation, or other wrongful conduct.

d. Major Legal and Factual Issues:

Plaintiff: Whether Plaintiff’s supervisor subjected Plaintiff to sexual harassment; whether Plaintiff reported the sexual harassment; whether Defendants conducted an investigation into Plaintiff’s claim of sexual harassment; whether Defendants took any remedial action to protect Plaintiff from further sexual harassment; whether Defendants retaliated against Plaintiff for opposing sexual harassment; and the nature and extent of Plaintiff’s damages.

Defendant J.B. Hunt Transport, Inc: Whether Plaintiff can establish a claim of sexual harassment, sexual discrimination or retaliation; whether Plaintiff’s allegations are outside the scope of his EEOC Charge; whether J.B. Hunt was Plaintiff’s joint employer and the nature and extent of Plaintiff’s alleged damages.

Defendant, PeopleReady, Inc: Whether Plaintiff can establish a claim of sexual harassment, sexual discrimination or retaliation; whether Plaintiff's allegations are outside the scope of his EEOC Charge; and the nature and extent of Plaintiff's alleged damages.

e. Damages:

Plaintiff: Plaintiff is seeking damages for loss of employment, loss of income, loss of employment benefits, mental anguish, emotional distress, decreased self-esteem, financial distress, and loss of enjoyment of life, and attorney's fees and costs. Moreover, Plaintiff is seeking punitive damages.

3. Pending Motions and Case Plan:

a. Pending motions: There are no pending motions.

b. Parties proposed discovery and case management plan:

1. The parties intend to issue written discovery including interrogatories, requests for production and requests for admissions. The parties intend to take witness depositions.
2. The parties do not anticipate a need for a confidentiality order.
3. Discovery may encompass ESI. The parties do not currently anticipate issues regarding ESI discovery.
4. The parties do not currently have any issues of privilege or protection of trial materials
5. The parties do not anticipate any changes to the limitations on discovery under the rules.
6. Date for Rule 26 (a)(1) disclosures: April 25, 2024
7. Fact discovery completion date: October 1, 2024
8. Plaintiff's experts to be disclosed by November 1, 2024
9. Defendants' experts to be disclosed by December 1, 2024
10. Date for filing dispositive motions: March 1, 2025

c. Jury Trial:

Plaintiff has requested a jury trial and anticipates a 2-4 day trial.

4. **Consent to Proceed Before a Magistrate Judge:** The parties have discussed advantages of a Magistrate Judge referral but have not unanimously agreed to proceed before the assigned Magistrate Judge.

5. Status of Settlement Discussions

- a. Plaintiff made his initial settlement demand on March 25, 2024. The parties are evaluating and discussing settlement. PeopleReady responded rejecting the demand while making a counter-offer on April 1, 2024.
- b. The parties do not request a settlement conference at this time.

Dated: April 2, 2024

Respectfully Submitted,

/s/ Sara L. Pettinger

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